

## MEMORANDUM

**To:** Planning Commission

**From:** Phillip Rupp

**Date:** September 1, 2010

**Subject:** Rezone matrix including summary analysis and recommendation.

Attached for the Planning Commission review is the final matrix that we have used in our analysis of the rezone requests. Specifically, this matrix takes each of the applications and summarizes the salient points that were considered in evaluating the suitability of the zone change when compared to the factors guiding rural lands designation found in the RCW, WAC, County Comprehensive Plan and Lewis County Code, and makes a recommendation. (Attached to this cover memo are 5 pages which list a summary of the factors guiding rezone consideration).

The following were also used when assessing the appropriateness of the requested change:

- Requests involving the ARL designation: Requests to remove properties from the ARL designation were evaluated if the application included declarations or rationale why the ARL designation was in error. Otherwise it was assumed that the recent designation to ARL was sound in reasoning and no further consideration was given to the request.
- Requests, if granted, would result in a spot zone and were not supported. Spot zoning is defined as an action “by which a smaller area is singled out of a larger area or district and specifically zoned for a use classification totally different from and inconsistent with the classification of surrounding land, and not in accordance with the comprehensive Plan. Spot zone is a zoning for private gain designed to favor or benefit a particular individual or group and not the welfare of the community as a whole.” (Smith v. Skagit County 1969).
- Properties that were not part of the application itself but due to their acreage and use could be combined with the request to form a “logical boundary” were not recommended to be part of the change. The rationale for this position is multifold:

First, information obtained in numerous telephone conversations as a follow up to a mass mail out indicated that many of the signatories on the application did not want to have their zoning changed but thought they were merely supporting another land owner that was passing a petition around.

Second, the high advertizing costs associated with all lands involved in county land use legislative action makes the process very expensive.

Third, it was reasoned that the act of increasing the intensity of the designation in an area as a result of a property specific application would signal to other property owners that re-designation to a more intense use designation was possible but not being forced by the County.

Staff recommends that on September 14 the Planning Commission briefly discusses in a workshop context the recommendations and set two public hearings. One public hearing would be set for October 5<sup>th</sup> in Mineral to discuss only the Mineral Lake rezone request. The second public hearing would be set for October 12<sup>th</sup> in the Lewis County Court House at the regularly scheduled Planning Commission meeting time.